

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

AMY ATWOOD FRAZIER

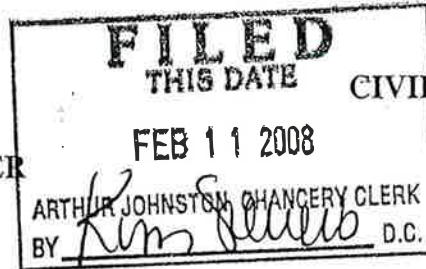
PLAINTIFF

VS.

HARRIS CLAIBORNE FRAZIER

CIVIL ACTION NO. 2007-802

DEFENDANT



JUDGMENT OF DIVORCE

Came this cause for hearing on the 29<sup>th</sup> day of November, 2007, on the Complaint for Divorce filed herein by the Plaintiff, AMY ATWOOD FRAZIER, and the Defendant having been duly served with process of this Court on September 3, 2007, and having been duly noticed of this hearing, and having failed to answer or respond to said Complaint; and the Plaintiff appearing represented by Hon. Sharon Patterson Thibodeaux, and the Defendant being called thrice and failing to appear, and the Court having heard the testimony of the Plaintiff and her corroborating witness, and being further fully advised in the premises, does hereby find that it has jurisdiction over the parties and the subject matter, and does further find, **ORDER AND ADJUDGE** as follows:

1.

Based on the totality of the evidence and the circumstances, the Plaintiff, AMY ATWOOD FRAZIER, should be, and hereby is, awarded a divorce in fee simple absolute of and from the Defendant, HARRIS CLAIBORNE FRAZIER, on the ground of Uncondoned Adultery.



0318 PAGE 0479

2.

Based on the totality of the circumstances and its consideration of all of the Albright factors, the Court finds that the Plaintiff, AMY ATWOOD FRAZIER, should be, and hereby is, awarded the permanent care, custody and control of the minor children of the parties, namely: WELLS CLAIBORNE FRAZIER, a male child born September 26, 2000; and POSEY LAMAR FRAZIER, a female child born September 10, 2004. Further, the Plaintiff should be, and hereby is, awarded child support of and from the Defendant, HARRIS CLAIBORNE FRAZIER, in the amount of Two Thousand Dollars (\$2,000.00) per child per month, for the support and maintenance of said minor child, for a total monthly child support sum of Four Thousand Dollars (\$4,000.00), payable on the 1<sup>st</sup> day of December, 2007, and continuing on the 1<sup>st</sup> day of each subsequent month thereafter until the minor children of the parties reach majority or otherwise become emancipated. That the Plaintiff, AMY ATWOOD FRAZIER, should be, and hereby is, awarded the right to claim the minor children as dependents for income tax purposes for the 2007 tax year and all future years.

The Defendant, HARRIS CLAIBORNE FRAZIER, should be, and hereby is, ordered to pay one-half (1/2) of the minor children's extracurricular activity expenses and shall further pay one-half (1/2) of the costs associated with the minor children's high school and college graduation to include, but not be limited to, senior portraits, cap and gown fees, graduation invitations, class rings, ~~and graduation expenses.~~ (CLB)

The Defendant, HARRIS CLAIBORNE FRAZIER, should be, and hereby is, further ordered to pay one-half (1/2) of the minor children's college expenses to include tuition, books and any other reasonable expenses associated with their college education.

0318 PAGE 0480

3.

The Defendant, HARRIS CLAIBORNE FRAZIER, should be, and hereby is, awarded the following rights of *restricted visitation* with the minor children:

- a. The 2<sup>nd</sup> and 4<sup>th</sup> weekends of each month from 6:00 p.m. on Friday until 6:00 p.m. on the immediately following Sunday;
- b. Father's Day each year from 9:00 a.m. until 6:00 p.m. with Plaintiff having the minor children with her on Mother's Day each year;
- c. Christmas each year from 3:00 P.M. on Christmas Day until 6:00 P.M. on the following January 1<sup>st</sup> with Plaintiff having the minor children with her each year from the day that school recesses for the Christmas holidays until 3:00 P.M. on Christmas Day;
- d. Thanksgiving visitation in odd-numbered years from 3:00 P.M. on the day immediately preceding Thanksgiving until 6:00 P.M. on the immediately following Friday with Plaintiff having the same visitation in even-numbered years;
- e. Easter visitation in even-numbered years from 6:00 P.M. on the Saturday immediately preceding Easter until 6:00 P.M. on Easter Sunday with Plaintiff having the same visitation in odd-numbered years;
- f. Fourth of July visitation in odd-numbered years from 6:00 P.M. on July 3<sup>rd</sup> until 6:00 P.M. on July 5<sup>th</sup> with Plaintiff having the same visitation in even-numbered years;
- g. Summer visitation to be determined between the parties and to be exercised while Plaintiff and the minor children are in Florida and the Defendant is also visiting in Florida;

h. The Defendant shall not exercise visitation with the minor children at any time he has been consuming alcoholic beverages or intends to consume alcoholic beverages during said visitation period.

i. The Defendant shall not exercise visitation with the minor children in the presence of any person to whom he is not related by blood or marriage.

4.

That the Defendant, HARRIS CLAIBORNE FRAZIER, should be, and hereby is, ordered to continue to maintain a policy of medical insurance coverage on the minor children and each party shall be responsible for payment of one-half (1/2) of any and all reasonable and necessary medical, dental, orthodontic, pharmaceutical, psychological and optical expenses of the minor children not covered by said insurance. The Defendant, HARRIS CLAIBORNE FRAZIER, shall further maintain a policy of life insurance on his life in the minimum sum of Two Million Dollars (\$2,000,000.00) with the minor children designated as sole beneficiaries thereon. That the Plaintiff, AMY ATWOOD FRAZIER, shall be designated as Trustee for said minor children on said policy at all times during the children's minority.

5.

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The Court, having fully considered the Ferguson and Helmsley factors, does hereby award the Plaintiff, AMY ATWOOD FRAZIER, the permanent, exclusive use and possession of the former marital residence located at 144 Overlook Point, Madison, Mississippi 39110 and all household goods, furnishings and fixtures located therein.

0318 PAGE 482

The Defendant, HARRIS CLAIBORNE FRAZIER, should be, and is hereby, awarded the exclusive use and possession of all of his guns, clothing, and household goods and furnishings in his family's condominium and the various hunting camps. Further, the Defendant, HARRIS CLAIBORNE FRAZIER, should be, and is hereby, awarded the exclusive use and possession of his one-third (1/3) interest in the family condominium in Florida and his interest in the family hunting camp in Belzoni.

The Plaintiff, AMY ATWOOD FRAZIER, is further awarded one-half (1/2) of the Defendant's ownership interest in the real property and improvements owned by Six Shooter Land and Timber Co., L.L.C. and the Six Shooter Lodge, LLC, located in the Drew, Mississippi area and the Plaintiff is hereby awarded a lien against said property to insure payment of her one-half (1/2) interest upon sale thereof. Said real property ownership interest of Six Shooter Land and Timber Co., L.L.C. and the Six Shooter Lodge, LLC includes but is not limited to the parcels more particularly described by Exhibit "1", Exhibit "2", Exhibit "3", Exhibit "4", Exhibit "5" and Exhibit "6" attached hereto and incorporated herein by reference as fully as if copied herein.


6.

The Defendant, HARRIS CLAIBORNE FRAZIER., is hereby awarded the exclusive use and possession of the 2006 GMC Truck and shall be responsible for payment of the indebtedness owed thereon and shall hold the Plaintiff harmless therefore. The Plaintiff, AMY ATWOOD HARRIS, is hereby awarded the exclusive use, ownership and possession of the 2003 Range Rover and shall be responsible for payment of the outstanding indebtedness owed thereon and shall further be responsible for providing automobile insurance therefore.

Further, the Defendant, HARRIS CLAIBORNE FRAZIER, shall provide each minor child with an automobile at such time as the Plaintiff and Defendant agree that said children are at the appropriate level of maturity to operate and care for said automobile. That the Defendant, HARRIS CLAIBORNE FRAZIER, shall be responsible for providing automobile insurance and all maintenance and repair costs for said automobiles.

7.

The Plaintiff, AMY ATWOOD FRAZIER, is hereby awarded one-half (1/2) of the funds on deposit as of the date of this Judgment in any and all 401(k) plans determined to be held in the name of the Defendant after reasonable investigation. The Plaintiff, AMY ATWOOD FRAZIER, is hereby further awarded a partial reimbursement of her attorney fees incurred in this matter as additional support of and from the Defendant, HARRIS CLAIBORNE FRAZIER, in the sum of Three Thousand Five Hundred Dollars (\$3,500.00).

 The Defendant, HARRIS CLAIBORNE FRAZIER, shall further reimburse Plaintiff the sum of \$ 6000.00 as partial reimbursement for the investigative fees and costs incurred in this matter.

8.

Each party shall keep the other informed of his/her address, including state, city, street, house number and telephone number, if available, unless excused in writing by the Court; and further, within five (5) days of either party changing addresses or telephone numbers, so long as a child of the parties remains a minor, the party changing addresses or telephone numbers should notify in writing the Clerk of this Court of said change, providing the new address and/or new telephone number to said Clerk of Court and to the other party.

0318 PAGE 0484

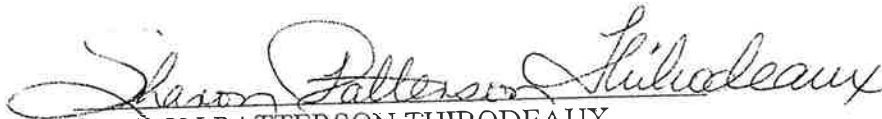
Said notice shall include the Court file number and the Clerk should docket and file such notice in this cause.

SO ORDERED AND ADJUDGED, this the 11<sup>th</sup> day of February,

2008, nunc pro tunc November 29, 2007.

  
CHANCELLOR

PREPARED AND SUBMITTED BY:



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